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November 8, 2022

### Via ECF

Hon. Katherine H. Parker  
United States Magistrate Judge  
United States District Court,  
Southern District of New York  
500 Pearl St.  
New York, NY 10007

**APPLICATION GRANTED: The Initial Case Management Conference scheduled for 10/25/2022 at 10:30 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to Thursday, January 5, 2023 at 11:40 a.m.**

**APPLICATION GRANTED**

*Katharine H. Parker*

Hon. Katharine H. Parker, U.S.M.J.

Re: Spinn Construction, Inc. v. Hestianic Holdings, LLC, Case No.: 1:22-cv-05421 11/09/2022

Dear Judge Parker:

This firm represents Plaintiff Spinn Construction, Inc. and Third-Party Defendant Jonathan Spinner in the above-referenced matter. We join with Defendant/Third-Party Plaintiff Hestianic Holdings, LLC to request a stay of all proceedings in this matter until December 31, 2022, and, relatedly, an adjournment of the Initial Case Management Conference presently scheduled for November 10, 2022. This is the parties' second request for adjournment of the Scheduling Conference.

The parties request the instant stay because they have agreed to pursue non-binding mediation, have engaged a mediator, and have tentatively scheduled a mediation session for December 12, 2022. We fully anticipate that any mediation session will be concluded by the end of the year. To that end, the parties respectfully submit that a stay of these proceedings will allow the parties to pursue an amicable resolution, while minimizing the cost to the litigants that discovery would necessarily entail.

We are available to discuss this request further with the Court at its convenience. Thank you for your consideration of this request.

Respectfully submitted,

/s/ Ira W. Seligman

Ira W. Seligman (IWS 6673)  
Keith H. Richman (KHR 1293)

cc: Thomas Tripodanos, Esq. (via ECF)